

REMARKS

Claims 1 - 23 remain active in this application. Claims 1 and 18 have been amended substantially in accordance with the Examiner's suggestion in the Advisory Action mailed April 10, 2007. Support for the amendments of the claims is found throughout the application, particularly in Figure 2 and the description thereof on pages 12 - 14. No new matter has been introduced into the application.

Claims 1, 7 - 11, 13 - 18 and 22 stand rejected under 35 U.S.C. §103 as being unpatentable over Ritter in view of Citta (both newly cited). Claims 2, 4 - 5, 12 and 23 stand rejected under 35 U.S.C. §103 as being unpatentable over Ritter in view of Citta and Sullivan. Claim 3 stands rejected under 35 U.S.C. §103 as being unpatentable over Ritter in view of Citta, Sullivan and Ortel. Claim 6 stands rejected under 35 U.S.C. §103 as being unpatentable over Ritter in view of Citta and LoGalbo et al. Claims 19 - 21 stand rejected under 35 U.S.C. §103 as being unpatentable over Ritter in view of Citta and Ortel. All of these grounds of rejection are respectfully traversed for the reasons made of record in previous responses and, in particular, the response filed March 19, 2007, all of which are hereby fully incorporated by reference.

In response to the amendment filed March 19, 2007, the Advisory Action mailed April 10, 2007, contained a suggestion for amendatory language which the Examiner considered to clarify the recitations of the claims in regard to both the central facility and the termination section being responsive to a broadcast time base; which "broadcast" is not carried out over the claimed cable signal distribution system, in order to avoid a need for

interrogation (as represented by the prior art of record) or any other additional downstream signaling (except as a perfecting feature of the invention when re-synchronization may be desired earlier than would be provided by the broadcast time signal). This suggestion by the Examiner is sincerely appreciated and it was confirmed in a telephone interview with the Examiner on April 19, 2007, that the claims would be considered to distinguish from the prior art and the application allowed if the Examiner's suggestion was adopted.

However, in that telephone interview, the undersigned pointed out to the Examiner that the suggested language was potentially subject to an interpretation contrary to the invention since the syntax of "do not require any need for any interrogation downstream signaling from the central facility to *independently broadcast a broadcast time signal* and vice-versa" might be construed to mean that one of the central facility or the termination section transmits the broadcast time signal or that such transmission by *either of the central facility or the termination section* was required by the invention which is clearly not the case. In fact, in the preferred form of the invention, as disclosed in the paragraph bridging pages 12 and 13, the broadcast time signal exploited by the invention to avoid any downstream signaling for interrogation or to establish a time base *is the time signal broadcast by the National Bureau of Standards* which is received by a commercially available time base device. Likewise, there is no need for interrogation since time slots are derived from the independently broadcast time signal that is received at both the central facility and the termination section but not necessarily generated at either.

At the telephone interview, a substantial number of modifications of the Examiner's suggestion were proposed in order to remove such an incorrect potential interpretation but no agreement was reached even though the Examiner, in the Advisory Action, indicates the suggestion to be an "example" of suitable language. The above amendatory language was not among the proposals presented at the interview but is believed to sufficiently clarify the Examiner's suggestion. That is, the relocation of the phrase "to independently broadcast a broadcast time signal" and the insertion of "or" between the recitations of interrogation and broadcasting of time signals is believed to sufficiently clarify the language relative to the invention by placing the phrase more proximate to the recitation that the termination section does not require either signal ... "from the central facility" and vice-versa and thus directly and explicitly stating that neither interrogation nor broadcasting of time signals is required from within the claimed system *while otherwise using the entirety of the language suggested by the Examiner.*

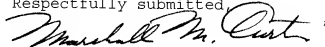
Accordingly, since the amendatory language uses the language suggested by the Examiner (with a minor grammatical correction acknowledged and accepted by the Examiner at the above-noted interview) and is of no greater breadth than the language suggested by the Examiner while being of improved clarity and accuracy, it is believed that the above amendatory language should be acceptable to the Examiner and should place the application in *prima facie* condition for allowance. Therefore, such action is respectfully requested upon reconsideration of the application in view of the above amendments and these additional remarks. Upon such reconsideration, should any other issue be seen to

remain, it is respectfully requested that the Examiner contact the undersigned by telephone at the number given below in order to expeditiously resolve the same.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered and shown to be in error and/or inapplicable to the present claims, it is respectfully submitted that reconsideration is now in order under the provisions of 37 C.F.R. §1.111(b) and such reconsideration is respectfully requested. Upon reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested.

A petition for a three-month extension of time has been made above. If any extension of time is available and required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



Marshall M. Curtis
Reg. No. 33,138

Whitham, Curtis, Christofferson & Cook, P. C.
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190

(703) 787-9400
Customer Number: 30743